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## NOTICE OF ALLOWANCE AND FEE(S) DUE

61857 7590 01/25/2011

AEON Law / Real Networks, Inc  
1525 4th Ave  
Suite 800  
Seattle, WA 98101

EXAMINER

JOHNSON, CARLTON

ART UNIT

PAPER NUMBER

2436

DATE MAILED: 01/25/2011

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/719,674

11/21/2003

Joshua D. Hug

REAL-2006053

1315

TITLE OF INVENTION: RIGHTS ENFORCEMENT AND USAGE REPORTING ON A CLIENT DEVICE

APPLN. TYPE	SMALL ENTITY	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	\$1510	\$300	\$0	\$1810	04/25/2011

**THE APPLICATION IDENTIFIED ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT. PROSECUTION ON THE MERITS IS CLOSED. THIS NOTICE OF ALLOWANCE IS NOT A GRANT OF PATENT RIGHTS. THIS APPLICATION IS SUBJECT TO WITHDRAWAL FROM ISSUE AT THE INITIATIVE OF THE OFFICE OR UPON PETITION BY THE APPLICANT. SEE 37 CFR 1.313 AND MPEP 1308.**

**THE ISSUE FEE AND PUBLICATION FEE (IF REQUIRED) MUST BE PAID WITHIN THREE MONTHS FROM THE MAILING DATE OF THIS NOTICE OR THIS APPLICATION SHALL BE REGARDED AS ABANDONED. THIS STATUTORY PERIOD CANNOT BE EXTENDED. SEE 35 U.S.C. 151. THE ISSUE FEE DUE INDICATED ABOVE DOES NOT REFLECT A CREDIT FOR ANY PREVIOUSLY PAID ISSUE FEE IN THIS APPLICATION. IF AN ISSUE FEE HAS PREVIOUSLY BEEN PAID IN THIS APPLICATION (AS SHOWN ABOVE), THE RETURN OF PART B OF THIS FORM WILL BE CONSIDERED A REQUEST TO REAPPLY THE PREVIOUSLY PAID ISSUE FEE TOWARD THE ISSUE FEE NOW DUE.**

### HOW TO REPLY TO THIS NOTICE:

#### I. Review the SMALL ENTITY status shown above.

If the SMALL ENTITY is shown as YES, verify your current SMALL ENTITY status:

A. If the status is the same, pay the TOTAL FEE(S) DUE shown above.

B. If the status above is to be removed, check box 5b on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and twice the amount of the ISSUE FEE shown above, or

If the SMALL ENTITY is shown as NO:

A. Pay TOTAL FEE(S) DUE shown above, or

B. If applicant claimed SMALL ENTITY status before, or is now claiming SMALL ENTITY status, check box 5a on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and 1/2 the ISSUE FEE shown above.

II. PART B - FEE(S) TRANSMITTAL, or its equivalent, must be completed and returned to the United States Patent and Trademark Office (USPTO) with your ISSUE FEE and PUBLICATION FEE (if required). If you are charging the fee(s) to your deposit account, section "4b" of Part B - Fee(s) Transmittal should be completed and an extra copy of the form should be submitted. If an equivalent of Part B is filed, a request to reapply a previously paid issue fee must be clearly made, and delays in processing may occur due to the difficulty in recognizing the paper as an equivalent of Part B.

III. All communications regarding this application must give the application number. Please direct all communications prior to issuance to Mail Stop ISSUE FEE unless advised to the contrary.

**IMPORTANT REMINDER: Utility patents issuing on applications filed on or after Dec. 12, 1980 may require payment of maintenance fees. It is patentee's responsibility to ensure timely payment of maintenance fees when due.**

# **PART B - FEE(S) TRANSMITTAL**

**Complete and send this form, together with applicable fee(s), to: Mail Mail Stop ISSUE FEE  
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**INSTRUCTIONS:** This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 5 should be completed where appropriate. All further correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated unless corrected below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee notifications.

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Note: A certificate of mailing can only be used for domestic mailings of the Fee(s) Transmittal. This certificate cannot be used for any other accompanying papers. Each additional paper, such as an assignment or formal drawing, must have its own certificate of mailing or transmission.

61857 7590 01/25/2011

AEON Law / Real Networks, Inc  
1525 4th Ave  
Suite 800  
Seattle, WA 98101

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I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop ISSUE FEE address above, or being facsimile transmitted to the USPTO (571) 273-2885, on the date indicated below.

(Depositor's name)
(Signature)
(Date)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/719,674 11/21/2003 Joshua D. Hug REAL-2006053 1315

TITLE OF INVENTION: RIGHTS ENFORCEMENT AND USAGE REPORTING ON A CLIENT DEVICE

APPLN. TYPE	SMALL ENTITY	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
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nonprovisional NO \$1510 \$300 \$0 \$1810 04/25/2011

EXAMINER	ART UNIT	CLASS-SUBCLASS
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JOHNSON, CARLTON 2436 713-176000

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).

- ☐ Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.
- ☐ "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-02 or more recent) attached. **Use of a Customer Number is required.**

2. For printing on the patent front page, list

- (1) the names of up to 3 registered patent attorneys or agents OR, alternatively, 1 \_\_\_\_\_
- (2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed. 2 \_\_\_\_\_
- 3 \_\_\_\_\_

3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. If an assignee is identified below, the document has been filed for recordation as set forth in 37 CFR 3.11. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE (B) RESIDENCE: (CITY and STATE OR COUNTRY)

Please check the appropriate assignee category or categories (will not be printed on the patent) : ☐ Individual ☐ Corporation or other private group entity ☐ Government

4a. The following fee(s) are submitted:

- ☐ Issue Fee
- ☐ Publication Fee (No small entity discount permitted)
- ☐ Advance Order - # of Copies \_\_\_\_\_

4b. Payment of Fee(s); (Please first reapply any previously paid issue fee shown above)

- ☐ A check is enclosed.
- ☐ Payment by credit card. Form PTO-2038 is attached.
- ☐ The Director is hereby authorized to charge the required fee(s), any deficiency, or credit any overpayment, to Deposit Account Number \_\_\_\_\_ (enclose an extra copy of this form).

5. Change in Entity Status (from status indicated above)

- ☐ a. Applicant claims SMALL ENTITY status. See 37 CFR 1.27. ☐ b. Applicant is no longer claiming SMALL ENTITY status. See 37 CFR 1.27(g)(2).

NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.

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Date \_\_\_\_\_

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This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

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10/719,674	11/21/2003	Joshua D. Hug	REAL-2006053	1315
61857	7590	01/25/2011	EXAMINER	
AEON Law / Real Networks, Inc 1525 4th Ave Suite 800 Seattle, WA 98101			JOHNSON, CARLTON	
			ART UNIT	PAPER NUMBER
			2436	
DATE MAILED: 01/25/2011				

## Determination of Patent Term Adjustment under 35 U.S.C. 154 (b) (application filed on or after May 29, 2000)

The Patent Term Adjustment to date is 772 day(s). If the issue fee is paid on the date that is three months after the mailing date of this notice and the patent issues on the Tuesday before the date that is 28 weeks (six and a half months) after the mailing date of this notice, the Patent Term Adjustment will be 772 day(s).

If a Continued Prosecution Application (CPA) was filed in the above-identified application, the filing date that determines Patent Term Adjustment is the filing date of the most recent CPA.

Applicant will be able to obtain more detailed information by accessing the Patent Application Information Retrieval (PAIR) WEB site (<http://pair.uspto.gov>).

Any questions regarding the Patent Term Extension or Adjustment determination should be directed to the Office of Patent Legal Administration at (571)-272-7702. Questions relating to issue and publication fee payments should be directed to the Customer Service Center of the Office of Patent Publication at 1-(888)-786-0101 or (571)-272-4200.

<b>Notice of Allowability</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/719,674	HUG, JOSHUA D.	
	<b>Examiner</b>	<b>Art Unit</b>	
	CARLTON V. JOHNSON	2436	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 10-15-2010.
2. ☒ The allowed claim(s) is/are 1-6,8,10-19,34-36,38,39,41,43,45-52,54,56,58-61.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All    b) ☐ Some\*    c) ☐ None    of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
  - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
    - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
  - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.

**Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).**
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

- |  |  |
|--|--|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892)   | 5. <input type="checkbox"/> Notice of Informal Patent Application                      |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 6. <input type="checkbox"/> Interview Summary (PTO-413),<br>Paper No./Mail Date _____. |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO/SB/08),<br>Paper No./Mail Date _____    | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment                    |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br>of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance   |
|  | 9. <input type="checkbox"/> Other _____.   |

/Carlton V. Johnson/  
Examiner, Art Unit 2436

### EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Kyle Flindt, Registration No. 42,539 on January 11, 2011.

The application has been amended as follows:

Claims **1, 9, 34, 42, 49** and **57** have been amended as follows:

1. (Currently Amended) A method comprising:

- obtaining clear form rights information at a client device, said clear form rights information being associated with content stored at said client device;

- generating a validation hash from at least the clear form rights information;

- obtaining, by said client device, an external key comprising an integrity secret, wherein said integrity secret is vulnerable based at least in part on its being known to at least an external server device;

- obtaining a clear form external integrity hash of first data comprising:

- said clear form rights information and

- said external key,

- wherein said clear form external integrity hash is vulnerable based at least in part on said vulnerability of said externally-known integrity secret;

- obtaining an internal integrity hash of second data comprising:

- said clear form rights information,

said clear form external integrity hash, and  
an externally inaccessible client device key, wherein said externally  
inaccessible client device key is not accessible outside said client device and  
said internal integrity hash is not vulnerable based on a relative comparison with  
said vulnerability of said externally-known integrity secret;  
encrypting said internal integrity hash using said externally inaccessible client  
device key; ~~and~~  
storing the encrypted internal integrity hash on the client device;  
decrypting the encrypted internal integrity hash to recover the internal integrity  
hash; and  
comparing the validation hash to the internal integrity hash to detect tampering  
with the rights information.

9. (Canceled).

34. (Currently Amended) A client device comprising:

a register operative to store a client device key, said register being externally  
inaccessible from the client device;  
a memory operative to store content and clear form rights information associated  
with the content, said memory being externally accessible;  
hash circuitry operative to:  
obtain a clear form external integrity hash of first data comprising the clear  
form rights information and an external key as an integrity secret; ~~and~~  
obtain an internal integrity hash of second data comprising the clear form  
rights information, the clear form external integrity hash, and the externally  
inaccessible client device key; and  
generate a validation hash from at least the clear form rights information;  
encryption circuitry operative to:  
encrypt the internal integrity hash using the client device key; and  
decrypt the encrypted hash to recover the internal integrity hash;

said memory being further operative to store the encrypted hash, wherein said integrity secret is vulnerable based at least in part on its being known to at least an external server device, wherein said clear form external integrity hash is vulnerable based at least in part on said vulnerability of said externally-known integrity secret, and wherein said internal integrity hash is not vulnerable based on a relative comparison with said vulnerability of said externally-known integrity secret; and

a comparator to compare the validation hash to the internal integrity hash to detect tampering with the clear form rights information.

42. (Canceled).

49. (Currently Amended) A non-transitory machine readable medium having stored thereon machine executable instructions, the execution of which to implement a method comprising:

receiving clear form rights information at a client device, said rights information being associated with content stored on the client device, said client device having a client device key that is externally inaccessible from the client device;

generating a validation hash from at least the clear form rights information;

storing the clear form rights information on the client device;

obtaining an external key comprising an integrity secret, wherein said integrity secret is vulnerable based at least in part on its being known to at least an external server device;

obtaining a clear form external integrity hash of first data comprising the clear form rights information and said external key;

obtaining an internal integrity hash of second data comprising said clear form rights information, said clear form external integrity hash, and an externally inaccessible client device key;

encrypting the internal integrity hash using the externally inaccessible client device key; and

storing the encrypted internal integrity hash on the client device, wherein said

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integrity secret is vulnerable based at least in part on its being known to at least an external server device, wherein said clear form external integrity hash is vulnerable based at least in part on said vulnerability of said externally-known integrity secret, and wherein said internal integrity hash is not vulnerable based on a relative comparison with said vulnerability of said externally-known integrity secret; and

decrypting the encrypted internal integrity hash to recover the internal integrity hash; and

comparing the validation hash to the internal integrity hash to detect tampering with the clear form rights information.

57. (Canceled).

### ***Allowable Subject Matter***

The following is an examiner's statement of reasons for allowance.

Claim **1, 34, 49** are allowed based on the following:

The prior art of record, considered individually or in combination, fails to fairly show or suggest: *generating a validation hash from at least the clear form rights information; and obtaining a clear form external integrity hash of first data comprising: said clear form rights information and said external key, and obtaining an internal integrity hash of second data comprising: said clear form rights information, and said clear form external integrity hash, and an externally inaccessible client device key, wherein said externally inaccessible client device key is not accessible outside said client device and said internal integrity hash is not vulnerable based on a relative comparison with said vulnerability of said externally-known integrity secret; and decrypting the encrypted*



*internal integrity hash to recover the internal integrity hash; and comparing the validation hash to the internal integrity hash to detect tampering with the rights information*, in addition to the other limitations in a manner as recited in claims **1 - 6, 8, 10 - 19, 34 - 36, 38, 39, 41, 43, 45 - 52, 54, 56, 58 - 61**.

Claims **2 - 6, 8 - 19** are allowed due to allowed base claim **1**.

Claims **35, 36, 38, 39, 41, 43, 45 - 48** are allowed due to allowed base claim **34**.

Claim **50 - 52, 54, 56, 58 - 61** are allowed due to allowed base claim **49**.

So as indicated by the above statements, Applicant's arguments have been considered persuasive, in light of the set of claims with limitations as well as the enabling portions of the specification. The dependent claims further limit the independent claims and are considered allowable on the same basis as the independent claims as well as for the further limitations set forth.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

### ***Conclusion***

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on

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Statement of Reasons for Allowance.”

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Carlton V. Johnson whose telephone number is 571-270-1032. The examiner can normally be reached on Monday thru Friday , 8:00 - 5:00PM EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nasser Moazzami can be reached on 571-272-4195. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Carlton V. Johnson  
Examiner  
Art Unit 2436

CVJ  
January 3, 2011

Application/Control Number: 10/719,674  
Art Unit: 2436

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/Nasser Moazzami/  
Supervisory Patent Examiner, Art Unit 2436